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POST-CONFIRMATION TRUST

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;

Plaintiff,

vs.

HAWAIIAN EXPRESS SERVICE,

(Caption Continued)

) CIVIL NO. CV03-00385 SOM-LEK

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DECLARATION OF DAMIAN D.

CAPOZZOLA IN SUPPORT OF

DEFENDANT PCT'S MOTION FOR

ATTORNEYS' FEES AND COSTS

PART 3

Judge:

Hon. Susan O. Mollway